

July 10-84 / opt et sign: J:

No 14.

A N

A D D R E S S

TO THE

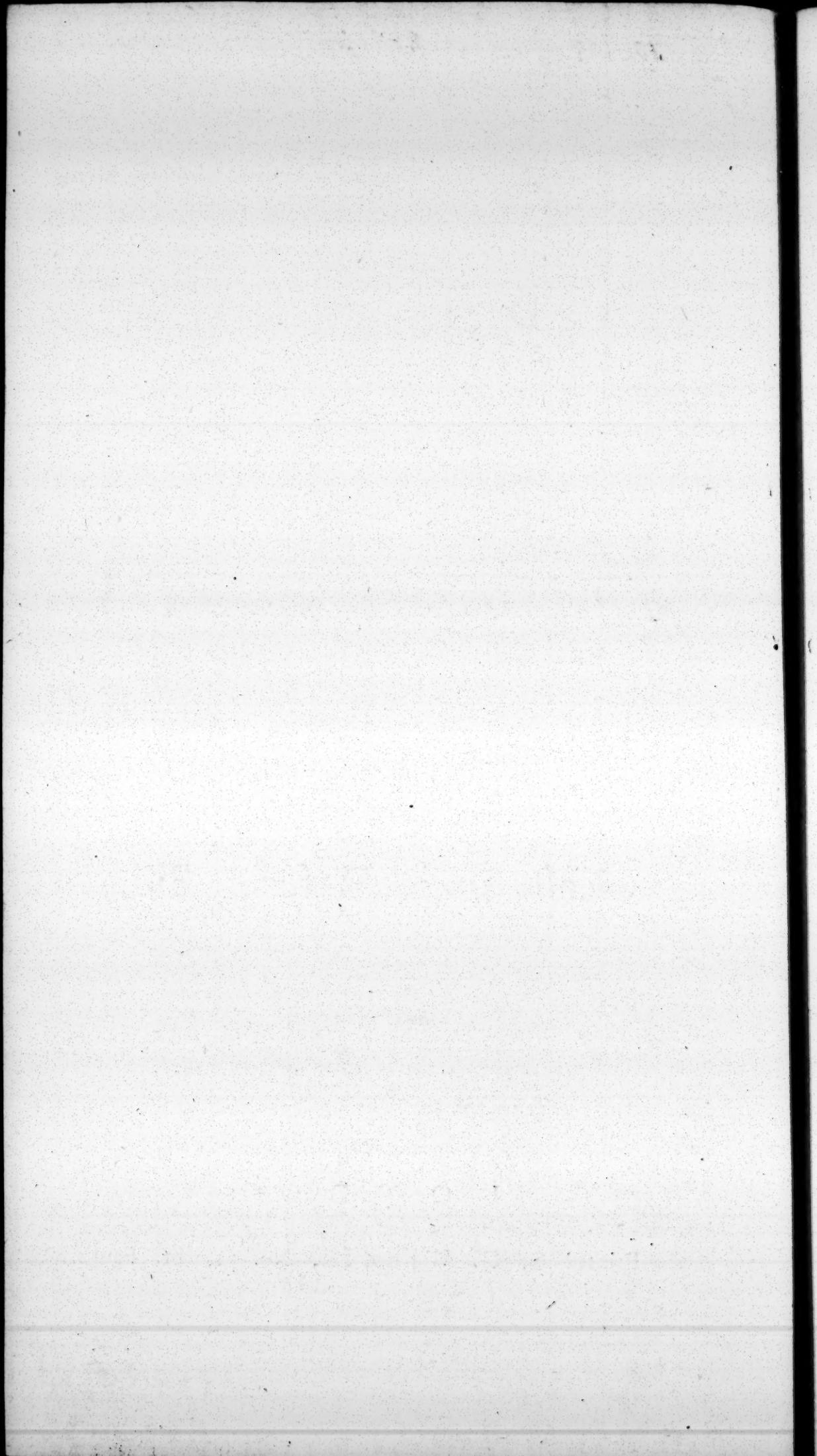
HOUSE of LORDS,

ON THE

East India Reform Bill.

L O N D O N.

Printed for G. WILKIE, No. 71, St. Paul's
Church Yard. 1783.



An ADDRESS, &c.

MY LORDS,

A QUESTION of political importance, great beyond example in the annals of our history, will this day come under your solemn discussion; a question, which has for its object the good government of territories superior in extent to the possessions of any Potentate in Europe, if we except only the vast solitudes of the North dependent on the Crown of Russia. Not indeed that even these in point of value admit of any comparison with the dominions of Great Britain in Hindostan. For we rule over provinces and kingdoms fertile by nature and improved by art; abounding with all the necessaries, the conveniences and elegancies of life; every where intersected by navigable streams, and every where interspersed with cities yet flourishing, and

A

villages

villages yet populous, after the repeated ravages of calamities the most fatal. Suffer me also to observe, that the present situation of this country stamps an additional worth on these our principal resources, now remaining ; if haply, by the wise administration of our affairs in the East, we may counter-balance in some degree the unhappy dismemberment of the British Empire in the West.

Now let us suppose it generally demanded of any man, unconcerned in the particular application, whether the direction of such a territory should be committed to a company of merchants : can it be doubted, what would be his immediate reply ? The spirit of commerce is a desire of private emolument ; the spirit of policy is a desire of public prosperity. The former, as it respects the individual, is necessarily circumscribed in its prospect by the limits of human life ; the latter, as it respects the species, may enlarge its views to succeeding generations : accordingly That is often satisfied to hazard distant loss for instant gain, and This is as frequently contented to suffer present expenditure in the hope of future retribution. Yet notwithstanding this manifest inconsistency

sistency of the two principles, which are or ought to be the first movers of the commercial and political machines, by merchants have the British interests in Hindostan hitherto been managed; and the probable consequences of such an arrangement have rapidly followed in every shape of characteristic malversation. "From the North to the South of Hindostan, in a tract of two thousand miles, there is not one native Prince whom they have not at some time or other contracted to sell; they never made one treaty which they have not broken; and they never had one adherent firmly united with them on whom they have not brought ruin!" Such were the charges of Mr. Burke in the House of Commons, and he accompanied them with a formal appeal for his veracity to the Reports of the Committees, and to the Papers, on which those Reports were founded, then lying on the table. He accompanied them also with a bold challenge to the other side of the House, if any man could produce one solitary proof in confutation of his assertions.

This, however, it may be answered, is partial evidence. Let us then hear the tes-

timony of the Company's servants ; let us hear the Governor of Fort St. George officially addressing his Council. For in a minute dated 4th of February, 1779, Sir T. Rumbold asks, “ if we take a view from the Southern boundary of Hindostan to the Northern extremity, where the English forces have proved victorious, where shall we find one native Prince, who has not severely felt the effects of our power, and that is not now lamenting the rapid success of our arms, and the credulity that ever induced him to trust to our engagements ? Mahomed Ally alone can boast that we have not *entirely violated every principle* on which he has depended,” Alas ! what ties of faith or honor can be expected to bind men, who think, in the language of Mr. Hastings, that *the sword and not justice should decide the point of right* ; who mention, without emotion,* “ *the practice of holding out the terrors of authority, and the denunciations of disgrace, dismissions, and war, as the instruments of private rapacity* ; ” and who deliberately in Council,† *propose plans of seeking war for plunder* ? ”

Such

* Mr. Hastings's Narrative, page 21.

† Sir Eyre Coote's Minute, 24 May, 1779.

Such then are the canons of their conduct towards Kings, Princes, and Chiefs, their tributaries, their allies, or their peaceful neighbours ; what must be the exercise of their sovereignty over their own vassals ? The spirit of their protection may be sufficiently collected from a defence of their cruelties, lately submitted to the public, “ that the *whip* is there as necessary an instrument in the hand of the Tax-gatherer, as his *inkhorn*.” They have interdicted to the natives all rank in the army ; they have precluded in a great degree all civil posts ; they have arbitrarily transferred hereditary lands for an increased rent ; they have restricted the merchants from traffic by pre-emptions and monopolies ; they have enslaved the manufacturers by advances ; they have surrounded their habitations with armed soldiers ; and finally, for the purposes of extortion, they have locked up from the wretches, whom they have made, the first requisite, and the best solace of nature, food and sleep. And what was the object of all this oppression, and how far has it been attained ? Truly they were thus enabled forcibly to sustain a pernicious scheme of investment, which has already operated to destroy

destroy the master-spring of trade, the principle of profit and loss.*

But whatever may be their follies and their crimes of every kind, the charter, it seems, has vested in them an indefeasible *right* of doing *wrong*. Our religious veneration for the great charter of our liberties has justly sanctified the name among Englishmen. Let us however, divesting ourselves on this occasion of all glorious prejudice in favor of the *word*, for a moment contemplate the *thing*. And here an easy distinction will present itself. Charters, like that of John, declaratory of natural rights, are certainly in themselves sacred and immutable, because that, which they recognize, existed before by the ordinances of God sacred and immutable. On the contrary, charters like this of the Company, creating positive rights by human authority, must in themselves be subject to the same limitations as the authority under which they claim. For nothing can be conferred, that is not previously in him who confers. But by the constitution of England, the executive power from which charters legally issue, is considered

* The cargoes from Bengal for some years have sold to a certain and heavy loss. See the 9th Report of the Select Committee.

dered but as a deposit for the general good ; and for the proper application of the trust, if not the chief magistrate himself, yet his official advisers, are responsible to the representatives of the people. Nor can the sanction of parliament add a more secure stability. For in this very exertion the supreme power of the legislature, the omnipotence of King, Lords, and Commons stands controuled ; since the salutary caution of the law has provided, that not even an express clause tending to prohibit the future repeal of any act, however strongly that prohibition may be couched, shall in any case be effectual. Need I urge also that the absurdity would be indeed glaring, if that supremacy, which has repeatedly modelled anew the succession of the Crown, and altered the established Religion of the realm, could not regulate a Company of Merchants, by whatever authority incorporated ?

Nevertheless, innovation is not wantonly to be introduced, but at the importunate call of some great emergency ; and the infringement of rights solemnly granted, should be commensurate with the necessity that compels it. What then in the present instance so indispensably requires the removal

removal of the old Directors, and the appointment of new by the special interposition of Parliament? The necessity of *ensuring* a substantial reform of the abuses, above hinted; the necessity of *giving vigour and energy* to the Bill now depending in the House of Commons, for the relief of the native Indians; for the security of their property, for the encouragement of their trade, for the restoration of their tranquility and prosperity, and consequently for the maintenance of our honor and interest.

And here, my Lords, permit me to remark, that bill, though it be posterior in order of time to this now before your Lordships, is yet prior in the order of things; That is the final cause of This; for the sake of That, This is offered to your consideration; on the expediency of That depends altogether the necessity of This. But that Bill has received the unanimous suffrages of all parties; and the justice, humanity, and policy, which breathes from every clause of it, have drawn the warmest strains of panegyric even from Mr. William Pitt. At the same time he should also have remembered, that to carry into execution, what he so much praised in speculation, would ask *no palliatives, no emollients, no half measures*; but a system

system of strength, and a government of efficacy ; whether lodged at home agreeably to the proposal of Mr. Fox, or abroad according to the project of Mr. Dundas ; in the hands of many, or of one.

The Court of Directors were originally a mere Committee of the Proprietors, annually chosen, as acting partners of the firm. And while the objects and interests of the Company were simply mercantile, this constitution was sufficiently well calculated to obtain every end desired. But when a national jealousy of the French power in Asia, kindling into ambition, and inflamed also by avarice, had fired them with the ardor of enterprize ; when too their arms and their negotiations, under the guidance of the “heaven-taught General,” Lord Clive, had made them masters of a rich and spacious territory ; on a sudden arose a new race among the Proprietary, who aspired to govern the lately acquired empire of the East. It was therefore soon discovered to be necessary that the factious influence of these political merchants should suffer diminution : with which design an act was passed in 1773, disfranchising all stock-holders who were not possessed of one thousand pounds, and

prescribing a complex mode of election, with a longer duration, to the Court of Directors. These were now indeed rendered less dependent on their constituents, at the same time however, they became subjected to Ministers ; their dispatches were partially inspected, their nominations and their recalls invalidated without the approbation of the Crown. If their orders were contemned, they chose not to exhibit themselves in the humble character of complainants to the Ministers of his Majesty, they might also be unwilling to hazard an open dissention with those, whom they represented, since among these the great servants of the Company generally found means to retain a decided majority. They contented themselves therefore, with *expressing their surprize* to those who disobeyed them, and with abandoning to silent neglect those who obeyed.

Now what remedy shall we apply to the disease, so obviously prevalent in the Direction ? how shall we strengthen their imbecility ? If we should adopt the expedient of sending abroad for a year, an absolute Governor, over all causes and persons, civil as well as military, supreme, removable only by the Crown ; how shall we perpetuate the good

good which he may effect? Shall we continue in the present mode, the election of Directors, but liberate them, when elected, from all controul of the Proprietors? Is not the contradiction too gross, to chuse governors from those very men, whom at the same moment you in a degree disfranchise, as unfit for all interference in the government? And how is that contradiction yet heightened, when you further leave the choice of such governors to those very men? Will the representatives, so elected, instantly unlearn the habit of those sentiments which recommended them to their constituents? As a corrective, however, a new officer of state may be created, a Secretary for the India Department; who, if he indeed do his duty, will necessarily sink the Directors yet lower in insignificance, while the administration of India will be actually in the hands of the Crown. This machine too is complex, and like all complex machines, the more liable to disorder.

There is only one alternative, simple, founded on reason, and powerful in its operation, an infringement of the charter, if it may so be called, commensurable with the necessity; that the management of the territorial

torial revenue be disengaged from the care of the commerce ; that the Directors of the latter description be chosen by the *United Company of Merchants trading to India* ; while the nomination of the superior Directors be, where the constitution will properly vest it, in the Crown. That participation in the patronage of India, which the Minister has ever secretly enjoyed, will certainly thus receive no inconsiderable accession ; but it will be loaded also with more than an equal share of responsibility. Nor, I trust, will the influence be found yet very formidable, if we candidly consider the defalcation of America, the abolition of places, the disqualification of contractors, the restriction of pensions, and lastly, what has not yet been fairly estimated, the emancipation of Ireland. Yet, if after every deduction, serious danger shall ever be felt to arise to the liberties of the people, I will not despair of so much public virtue, as may again resolve, “ that the influence of the Crown is increased, is increasing, and ought to be diminished.” In the mean time, however, I will not be guilty of such an affront to your finer feelings, as to suppose that such a speculative apprehension can weigh for a moment against the

the actual oppression of thirty millions, subjects of the British empire in Hindostan.

But wherefore must the rights of the Sovereign and of the Proprietors thus discriminated remain for the space of four years suspended in commission ? for such in truth is the new Direction. Because the line of separation which in theory may be struck on the instant, in practice must be drawn by gradual process. Nevertheless the rights of both have been in some degree virtually respected. For the assistant Directors who have been selected for the management of the trade as the least culpable, all of them have been on former occasions honored with the voices of the Proprietors ; and the conduct of the revenue has been given in charge to such illustrious and independent persons, in whose favor it is to be presumed that his Majesty would have been pleased to accept the recommendation of his Servants. But the Directors are not removeable at the pleasure of the Crown. If the present reform be founded in wisdom ; if the new constitution of the Direction promise that strong government at home, for which Mr. Hastings himself was formerly an advocate ; ought not parliament, while they approve, to fix it on a basis

a basis of temporary stability? Can the effects be otherwise fairly ascertained? And what but the premature destruction of the whole system can be otherwise augured from any revolution in his Majesty's Councils, when those men shall have succeeded to confidence and power, who have distinguished themselves not more by their acrimony against this manly measure, than by their predilection for their own undigested projects of complicated modification.

Of the opposition given to this bill in the House of Commons truth obliges me to say, that the principal topics urged against it were of a kind merely personal. For many seemed to look no further for arguments against it, than to a confused dislike of the Coalition; some proceeding to disentangle their ideas a little, condemned it as strongly marked with the worst principles of Lord North; while others contended that in this attempt Mr. Fox had exceeded all former instances of his democratical violence; had *out-heroded Herod*. But the single objection, in which the leaders of the attack were agreed, was a *disinterested* alarm, lest the success of this measure might for a time establish the Ministers of the Day. One called for support
on

on the hoary champions of Regal Prerogative ; and another invited to the same cause the avowed asserters of Popular Rights : I have heard too of country gentlemen, who rememb'ring, how, by the lure of a revenue from America, they were deceived into the operations of war ; were now apprehensive lest by similar visions in India, they might be deluded into arrangements of peace. Nor must it be forgotten how weighty is and ought to be the commercial interest in the House of Commons. And it is by no means improbable, that many independent members of this description, may have been offended at the principle of the bill, as derogating from the dignity of merchants. We know at least, that one gentleman, who had twice gone decidedly with administration, on the third reading threw his vote into the adverse scale in obedience to the instructions of his constituents. Perhaps it might not be quite so warrantable to conclude the judgment of a noble Lord biased in like manner by the *respectable Corporation of Chipping-Wycombe.*

But the Aristocratical constitution of your august assembly, my Lords, renders you eminently competent to subjects, which have for their scope enlarged designs of liberal policy.

licy. You are accountable to none, but to your own consciences and to your God. The sanctity of your own honor, will make you more tenderly anxious for the honor of your country ; and the discretionary equity, which it is your province to exercise in the final exposition of the law, will teach you a generous contempt for the pretended efficacy of an instrument, pleaded in bar to the natural rights of mankind. There are also among you, men, to whose profession it more especially belongs, to support with holy fervency, a system of peace and charity ; for allow me, my Lords, again to repeat, that the regulations of the present bill are proposed to you as the best, as the only means, to ensure the spirited execution of the subsequent provisions for the happiness of Hindostan. I shall therefore rest persuaded, that you will on this day, if ever, rise superior to the little motives of personal consideration, and by the zeal of your decision in behalf of this bill, manifest yourselves to be worthy interpreters of laws, whose foundation is the security of the individual, and of a religion whose essence is universal philanthropy.

F I N I S.

